## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

STEPHANIE HOBIA,	)	
Plaintiff,	)	
N/O	)	Coso No. CIV 05 1147 E
VS.	)	Case No. CIV-05-1147-F
JO ANNE B. BARNHART,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

## **ORDER**

Plaintiff Stephanie Hobia has applied for an award of attorney fees in the amount of \$5,288.00, pursuant to 28 U.S.C. § 2412(d) of the Equal Access to Justice Act. (Doc. no. 23.) Although any response to the motion is due, defendant has not responded to the motion and has not sought an extension of time within which to respond.

After consideration of the plaintiff's submission, the record, and the relevant authorities, and given that there is no objection to the motion, the court finds and concludes that the position of the defendant in this matter was not substantially justified, that the requested fee is reasonable and justified, and that these and all other grounds stated in support of the fee application are true and correct. Accordingly, plaintiff is entitled to an award of a reasonable attorneys' fee in the amount of \$5,288.00, as requested.

"Plaintiff's Application for Award of Attorney Fees Pursuant to [the] Equal Access to Justice Act" is **GRANTED**.

Dated this 9<sup>th</sup> day of February, 2007.

STEPHEN P. FRIOT

UNITED STATES DISTRICT JUDGE

05-1147p004(pub).wpd